

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT MISSISSIPPI**

**IN RE: EURNELL HOYLE**

**CHAPTER 13**

**DEBTOR**

**CASE NO. 21-10176-JDW**

**OBJECTION TO PROOF OF CLAIM FILED BY  
FIDELITY NATIONAL LOANS [CLAIM #2]**

**COMES NOW** the above-named Debtor, by and through his attorney of record in this case, and objects to the Proof of Claim filed by Fidelity National Loans (“Creditor) and in support thereof respectfully shows unto the Court the following:

1. That on February 4, 2021, the Creditor filed a secured proof of claim [Clm. #2] in this case in the amount of \$2,054.00.
2. The claim of the Creditor should be treated as unsecured because the security interest (UCC) has lapsed.
3. Other grounds to be shown at a hearing hereon.

**WHEREFORE**, the debtor prays of the Court that the claim of Fidelity National Loans, filed herein, be treated as unsecured and for such other, further and general relief to which the Debtor may be entitled.

This the 25<sup>th</sup> day of March, 2021

/s/Robert H. Lomenick

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KAREN B. SCHNELLER, MSB 6558  
ROBERT H. LOMENICK, JR., MSB 104186  
SCHNELLER & LOMENICK, P.A.  
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**CHAPTER 13**

**DEBTOR**

**CASE NO. 21-10176-JDW**

**NOTICE OF OBJECTION TO CLAIM**

**YOU ARE HEREBY NOTIFIED** that an objection to your claim has been filed in the above referenced bankruptcy case. Your claim may be reduced, modified, or eliminated. If you do not want the Court to eliminate or change your claim, a written response to the attached objection to claim must be filed with:

**Clerk, U.S. Bankruptcy Court  
Northern District of Mississippi  
703 Hwy 145 North  
Aberdeen, MS 39730**

and a copy must be served on the undersigned Debtor(s)' attorney and the Chapter 13 trustee on or before thirty (30) days from the date of this notice. In the event a written response is filed, the court will notify you of the date, time and place of the hearing thereon.

DATED: March 25, 2021

**CHAPTER 13 STANDING TRUSTEE:**  
Ms. Locke D. Barkley  
Chapter 13 Trustee  
6360 I-55 North, Suite 140  
Jackson, MS 39211

/s/Robert H. Lomenick  
KAREN B. SCHNELLER, MSB 6558  
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**CERTIFICATE OF SERVICE**

I, Robert H. Lomenick, attorney for the Debtor, hereby certify that a copy of the foregoing Notice of Objection to Claim and Objection to Claim has this day been served upon the Chapter 13 Trustee, the U.S. Trustee and Fidelity National Loans, either by electronic means or by United States Mail.

**Fidelity National Loans  
122 Chrystal Plaza Dr.  
New Albany, MS 38652**

**Ms. Locke D. Barkley  
Chapter 13 Trustee  
6360 I-55 North, Suite 140  
Jackson, MS 39211**

**Office of U.S. Trustee  
501 East Court Street, Suite 6-430  
Jackson, Mississippi 39201**

This the 25<sup>th</sup> day of March, 2021

/s/Robert H. Lomenick  
**ROBERT H. LOMENICK**